

Robert A. Sacks (SBN 150146)
sacksr@sullcrom.com

Rory P. Culver (SBN 271868)
culverr@sullcrom.com

SULLIVAN & CROMWELL LLP
1888 Century Park East, Suite 2100
Los Angeles, California 90067
Tel.: (310) 712-6600
Fax: (310) 712-8800

Laura Kabler Oswell (SBN 241281)
oswelll@sullcrom.com

SULLIVAN & CROMWELL LLP
1870 Embarcadero Road
Palo Alto, California 94303
Tel.: (650) 461-5600
Fax: (650) 461-5700

Attorneys for Intervenor Thomson
Consumer Electronics, Inc. and
Thomson S.A. (Specially Appearing)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. 07-5944-SC

MDL No. 1917

This Document Relates to:

*Electrograph Systems, Inc., et al. v. Hitachi,
Ltd., et al.*, No. 11-cv-01656;

*Alfred H. Siegel, as Trustee of the Circuit
City Stores, Inc. Liquidating Trust v. Hitachi,
Ltd., et al.*, No. 11-cv-05502;

*Best Buy Co., Inc., et al. v. Hitachi Ltd., et
al.*, No. 11-cv-05513;

*Target Corp., et al. v. Chunghwa Picture
Tubes, Ltd., et al.*, No. 11-cv-05514;

*Interbond Corporation of America v. Hitachi,
Ltd., et al.*, No. 11-cv-06275;

**DECLARATION OF LAURA KABLER
OSWELL IN SUPPORT OF OPPOSITION
OF INTERVENOR THOMSON
CONSUMER ELECTRONICS, INC. AND
THOMSON S.A. (SPECIALLY
APPEARING) TO DIRECT ACTION
PLAINTIFFS' MOTION FOR LEAVE
TO FILE AMENDED COMPLAINTS**

Date: May 1, 2013

Time: 9:30 a.m.

JAMS: Two Embarcadero Center, Suite 1500

Judge: Hon. Samuel Conti

Special Master: Hon. Charles A. Legge (Ret.)

[OPPOSITION TO MOTION TO AMEND
AND [PROPOSED] ORDER FILED
CONCURRENTLY HEREWITH]

1 *Office Depot, Inc. v. Hitachi, Ltd., et al.*, No.)
11-cv-06276;)
2)
3 *CompuCom Systems, Inc. v. Hitachi, Ltd., et*)
al., No. 11-cv-06396;)
4)
5 *Costco Wholesale Corporation v. Hitachi,*)
Ltd., et al., No. 11-cv-06397;)
6)
7 *P.C. Richard & Son Long Island*)
Corporation, et al. v. Hitachi, Ltd., et al., No.)
12-cv-02648; and)
8 *Schultze Agency Services, LLC, et al. v.*)
Hitachi, Ltd., et al., No. 12-cv-02649.)
9)
10)
11)
12)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

1 I, Laura Kabler Oswell declare under penalty of perjury as follows:

2 1. I am a member of the Bar of the State of California, and associated with the firm
3 of Sullivan & Cromwell LLP, counsel to Intervenor Thomson Consumer Electronics, Inc. and Thomson
4 S.A., which is specially appearing in this action (collectively, "Thomson"). I submit this Declaration in
5 support of Thomson's Opposition to Direct Action Plaintiffs' Motion for Leave to File Amended
6 Complaints.

7 2. Attached as Exhibit A hereto is a copy of the April 12, 2011 Order re: Indirect
8 Purchaser Plaintiffs' Motion to File a Third Amended Consolidated Complaint in *In re TFT-LCD (Flat*
9 *Panel) Antitrust Litig.*, No. 07-1827 (N.D. Cal.) (Dkt. No. 2641).

10 3. Attached as Exhibit B hereto is a copy of an excerpt from the transcript of the
11 September 22, 2010 hearing in the case entitled *In re TFT-LCD (Flat Panel) Antitrust Litigation*, No.
12 07-1827 (N.D. Cal.).

13 4. Attached as Exhibit C hereto is a true and correct copy of excerpts from
14 Technicolor S.A.'s Annual Report for 2010, filed with the Autorité des Marchés Financiers on
15 March 30, 2011 and publicly available at [http://www.technicolor.com/uploads/investor_](http://www.technicolor.com/uploads/investor_documents/interactive_annual_report_2010.pdf)
16 [documents/interactive_annual_report_2010.pdf](http://www.technicolor.com/uploads/investor_documents/interactive_annual_report_2010.pdf).

17 5. Attached as Exhibit D hereto is a true and correct copy of excerpts from
18 Technicolor S.A.'s Annual Report for 2011, filed with the Autorité des Marchés Financiers on
19 March 27, 2012 and publicly available at [http://www.technicolor.com/uploads/investor_](http://www.technicolor.com/uploads/investor_documents/technicolor_2011_annual_report.pdf)
20 [documents/technicolor_2011_annual_report.pdf](http://www.technicolor.com/uploads/investor_documents/technicolor_2011_annual_report.pdf).

21 6. Attached as Exhibit E hereto is a true and correct copy of excerpts from
22 Technicolor S.A.'s Form 6-F, filed with the United States Securities Exchange Commission on February
23 15, 2008 and publicly available on EDGAR.

24 Executed this 9th day of April 2013, at Palo Alto, California

25 /s/ Laura Kabler Oswell

26 Laura Kabler Oswell